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Lead Counsel for Plaintiffs and the Class

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ELISSA M. ROBERTS, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

BLOOM ENERGY CORPORATION, et al.,
Defendants.

Case No. 4:19-cv-02935-HSG

**JOINT STIPULATION AND ORDER TO
EXTEND CASE DEADLINES BY 30
DAYS**

Hon. Haywood S. Gilliam, Jr.

1 Lead Plaintiff James Everett Hunt, additional plaintiffs Juan Rodriguez, Kurt Voutaz, Joel
2 White, Andrew Austin, and Ryan Fishman (“Plaintiffs”) and Defendants Bloom Energy Corporation and
3 the Individual Defendants (the “Bloom Defendants”) and Defendants J.P. Morgan Securities LLC, Morgan
4 Stanley & Co. LLC, Credit Suisse Securities (USA) LLC, KeyBanc Capital Markets Inc., Merrill Lynch,
5 Pierce, Fenner & Smith Incorporated, Cowen and Company, LLC, HSBC Securities (USA) Inc.,
6 Oppenheimer & Co. Inc., Raymond James & Associates, Inc., and Robert W. Baird & Co. Incorporated
7 (the “Underwriter Defendants,” and together with the Bloom Defendants, “Defendants” and together with
8 Lead Plaintiff, the “Parties”), by and through their undersigned counsel, hereby stipulate as follows:

9 **WHEREAS**, on January 10, 2023, the Parties filed a Joint Notice of Settlement and Stipulation
10 and Proposed Order to Stay Proceedings and Vacate Hearings Pending Settlement Approval. (Dkt.
11 215);

12 **WHEREAS**, on January 11, 2023, the Court issued an Order staying the proceedings and
13 vacating all hearings pending finalization of the settlement documentation and a ruling on Lead
14 Plaintiff’s Motion for Preliminary Approval of Settlement. The Order stated that if the Motion for
15 Preliminary Approval of Settlement was not filed by February 14, 2023, the Parties shall file a joint
16 report regarding the status of settlement by that date. (Dkt. 216);


17 **WHEREAS**, the Parties are in the process of memorializing their agreement in a
18 comprehensive written Settlement Agreement and continue to work in good faith to finalize the
19 Settlement Agreement as quickly as possible;

20 **WHEREAS**, Plaintiffs intend to file an unopposed Motion for Preliminary Approval of the
21 settlement following execution of the Settlement Agreement;

22 **WHEREAS**, the Parties have met and conferred and agree that it would serve the interests of
23 efficiency and conserve resources to extend the February 14, 2023 deadline for Plaintiffs to file the
24 Motion for Preliminary Approval of Settlement or for the Parties to file a joint report regarding the
25 status of settlement by 30 days to March 16, 2023;

1. The February 14, 2023 deadline either for Plaintiffs to file a Motion for Preliminary Approval of Settlement or for the Parties to file a joint report regarding the status of the settlement shall be extended by 30 days to March 16, 2023.

Date: 2/14/2023


Honorably Haywood S. Gilliam, Jr.
United States District Court Judge